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**VIA ECF**

The Honorable Naomi Reice Buchwald  
United States District Court Judge, Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

**Re: *Real Selling Group LLC v. ESN Group, Inc.*  
SDNY Case No. 1:20-cv-01468**

Dear Judge Buchwald:

I am counsel for Defendant ESN Group, Inc. in the above captioned matter, and in that capacity participated in the October 22, 2020 telephone conference with the Court regarding Plaintiff's filing an Amended Complaint instead of responding to Defendant's motion to dismiss. I am writing now regarding Plaintiff's failure to timely file an opposition to Defendant's motion as the Court directed during the telephone conference.

As the Court may recall, before the filing of the Amended Complaint I twice agreed as a matter of professional courtesy to stipulate to Plaintiff's requests for extensions to respond to Defendant's motion. During the telephone conference with the Court, the Parties agreed to a schedule that provided for Plaintiff filing its opposition on November 6, 2020. On that date, I received an email from Plaintiff's counsel, requesting an additional one week extension, with the assurance there would be no further extension requests. Again, as a professional courtesy, I agreed to stipulate, but as I had significant family commitments for the week of Thanksgiving, I conditioned my stipulation on an agreement that Defendant's response date be moved to December 8, 2020.

Plaintiff has now delayed the date for filing his opposition from November 13th to November 18<sup>th</sup>. As a result, it appears unlikely that Defendant's response, which given the Amended Complaint will need to address new antitrust issues, can be prepared and filed on December 8<sup>th</sup> without intruding into my family commitments next week. Consequently, if the Court grants the request for extension Plaintiff's counsel has indicated he will file today with his opposition, Defendant respectfully requests that its reply deadline be moved to Monday, December 14, 2020.

Respectfully Submitted,

*/s/ Stephen E. Paffrath*

Stephen E. Paffrath